

23



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/937,096	12/19/2001	Ruben Gonzales	Q64914	4391

7590 11/30/2005
 Sughrue Mion
 2100 Pennsylvania Avenue NW
 Washington, DC 20037-3213

EXAMINER

LE, VU

ART UNIT	PAPER NUMBER
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2613

DATE MAILED: 11/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/937,096	Applicant(s) GONZALES, RUBEN	
	Examiner Vu Le	Art Unit 2613	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10, 13-38, 69-136, 145-148, 183-188, 193, 200-246 and 248-252 is/are pending in the application.
- 4a) Of the above claim(s) See Continuation Sheet is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 201-212, 215-217, 230 and 232-237 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 September 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Continuation of Disposition of Claims: Claims withdrawn from consideration are 1-10,13-38,69-136,145-148,183-188,193,200,213,214,218-229,231,238-246 and 248-252.

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of claims 201-218, 221-224, 229-230, 233, 235, 248-252 (Group VIII) in the reply filed on November 19, 2005 is acknowledged.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 201-209, 230, 232-237 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- a. In claim 201, line 3, is "a plurality of said video object" implies the same video object duplicated multiple times? If so, where in the claim justifies this duplicating function? The "generating" step generates a data stream, but how does the data stream exhibit "a plurality of said video object" as claimed without some kind of step(s) to provide proper antecedent basis for the "plurality" of said video object as claimed.

Clarification is required.

Until clarification is submitted, the claimed "data stream including a plurality of said video object" will be treated as encoded video data stream representative of an encoded composite frame including a plurality of video objects.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent; or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for the purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English.

5. Claim 201-211, 215, 217, 232-233, 235 are rejected under 35 U.S.C. 102(e) as being anticipated by Matsui et al, US 6,580,756.

Re claim 201, Matsui discloses a video encoding method (figs. 7, 8a-8d, 9-10, 11a-11b, 12a-12d, col. 2, line 1-39), including: encoding video data (i.e. MPEG4 object-by-object coding process, col. 2, line 11-12) with object control data (col. 2, line 28-36, i.e. control information) as a video object (i.e. coded image data or object data, col. 12, line 14-16); and generating a data stream including a plurality of said video object with respective data and object control data (col. 2, line 18-36, i.e. both coded image data or object data and control information are “multiplexed” into a data stream prior to transmission).

Re claim 202, which further recites generating a scene packet representative of a scene and including a plurality of said data stream with respective video objects, see col. 2, line 18-27.

Re claim 203, which further recites generating a video data file including a plurality of said scene packet with respective data streams and user control data, see col. 3, line 19-23.

Re claim 204, which further recites said video data represent video frames, audio frames, text and/or graphics, see col. 3, line 15-18.

Re claim 205, which further recites said video object comprises a packet with data packets of said encoded video data and at least one object control packet with said object control data for said video object, see col. 2, line 10-36, col. 3, line 43-50, which discusses encoded video and control data as packetized data.

Re claim 206, which further recites said video data file, said scene packets and said data streams include respective directory data. In Matsui et al, the disclosed MPEG4 coding would have inherently included directory data for video data file, said scene packets and said data streams as claimed.

Re claim 207, see col. 2, line 32-36, col. 4, line 6-15.

Re claim 208, in Matsui et al, the disclosed MPEG4 encoding inherently involves luminance and chrominance macroblocks and also shape data for video object segmentation.

Re claim 209, in Matsui et al, the disclosed MPEG4 encoding inherently involves controlling the shape of video object through image segmentation, rendering through creation of a composite image, animation through simulated motion of video object(s) during encoding of motion video, and user interaction as noted in claim 7.

Re claim 232, which further recites multivideo conferencing. Matsui et al discloses multimedia exchange through a network like the Internet (fig. 9, see also col. 2, line 40 – col. 3, line 33, also col. 1, line 44 i.e. videotelephone). Hence, multivideo conferencing is an inherent capability.

Re claim 233, see col. 2, line 63 – col. 3, line 14.

Re claim 235, which has been analyzed and rejected w/r to claim 201.

Re claim 210, which is an extension of claims 201 and 208 to further recite quantizing color data. The rejection of claims 201 and 208 applies here. Furthermore, the disclosed MPEG4 in Matsui et al inherently includes quantizing of chrominance macroblock.

Re claim 211, which is an extension of claim 201 to further recite generating motion vectors representing color changes in video frame. The rejection of claim 201 applies here. Furthermore, the disclosed MPEG4 in Matsui et al inherently includes motion estimation of chrominance macroblock data to generate motion vectors as claimed.

Re claim 215, see claim 209.

Re claim 217, see claims 205-206.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 230 is rejected under 35 U.S.C. 103(a) as being unpatentable over Matsui et al, '756 as applied to claim 201 above and further in view of Dom et al, US 6,166,735.

Re claim 230, which further recites including adding targeted user and/or local video advertising with said video object. Matsui et al does not teach targeted advertising associated with encoded video object. However, Dom does (see col. 2, line 30-39). Therefore, taking the combined teaching of Matsui et al and Dom et al as a whole, it would have been obvious to modify Matsui et al to further include targeted advertising with encoded video objects for an enhanced user interactive experience during video browsing.

8. Claim 234 is rejected under 35 U.S.C. 103(a) as being unpatentable over Matsui et al, '756 as applied to claim 201 above and further in view of Chiasson, US 2002/0002513 A1.

Re claim 234, which further recites generating electronic cards for transmission to mobile phones. Matsui et al does not disclose such features. However, Chiasson does (see para 0042-0043). Therefore, taking the combined teaching of Matsui et al and Chiasson as a whole, it would have been obvious to modify multimedia distribution in Matsui et al to also accommodate electronic card exchanges through mobile devices for an enhanced interactive multimedia data exchange.

9. Claims 216, 236-237 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsui et al, '756.

Re claim 236, which further recites a video on demand system. Matsui et al does not disclose multimedia exchange through a network having video on demand capability. However, Official Notice is taken to note that video on demand through a network is notoriously well known and thus, would have been obvious to incorporate in Matsui et al for the benefit of enhanced user interaction of multimedia contents.

Re claim 237, which further recites a video security system. Matsui et al does not disclose multimedia exchange through a network having video security capability. However, Official Notice is taken to note that video surveillance through a network is notoriously well known and thus, would have been obvious to incorporate in Matsui et al for the benefit of video surveillance capability through multimedia distribution over a network.

Re claim 216, which further recites rendering parameters represents transparency, scale, volume, position and rotation. As discussed in claim 209, the disclosed MPEG4 in Matsui et al includes rendering through generating a composite image, which would have included the well known parameters of transparency, scale, volume, position and rotation as claimed. Official Notice is taken.

10. Claim 212 is rejected under 35 U.S.C. 103(a) as being unpatentable over Matsui et al, '756 as applied to claim 210 above and further in view of Fuller et al, US 6,877,134.

Re claim 212, which further recites generating encoded text object and vector object and music object data for transmission with said encoded video data, and

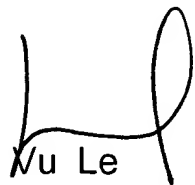
generating encoded data for configuring customisable decompression. Matsui et al does not disclose such features as claimed. However, Fuller et al does (see figs. 7-8, col. 10, line 1 – col. 11, line 19). Therefore, taking the combined teaching of Matsui et al and Fuller et al as a whole, it would have been obvious to also modify MPEG4 coding in Matsui et al to also accommodate generating encoded text object and vector object and music object data along with encoded video data for a more customisable multimedia reproduction at the client site.

Contact

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vu Le whose telephone number is (571) 272-7332. The examiner can normally be reached on M-F 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on (571) 272-7418. Customer Service can be reached at (571) 272-2600. The fax number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Vu Le'. The signature is stylized with a large loop on the right side.

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